

## Refugee Review Tribunal

### AUSTRALIA

#### RRT RESEARCH RESPONSE

**Research Response Number:** EGY17595  
**Country:** Egypt  
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This response was prepared by the Country Research Section of the Refugee Review Tribunal (RRT) after researching publicly accessible information currently available to the RRT within time constraints. This response is not, and does not purport to be, conclusive as to the merit of any particular claim to refugee status or asylum.

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#### Question

1. What is the situation for homosexuals in Egypt?
2. Anything else you feel might be relevant.

#### RESPONSE

##### 1. What is the situation for homosexuals in Egypt?

The following updates RRT *Research Response EGY15872*, dated 24 April 2003, which provides information on the treatment of homosexuals with special reference to civil rights, government attitudes, community attitudes and gay organisations (RRT Country Research 2003, *Research Response EGY15872*, 24 April – Attachment 1).

In an extensive report, *In a Time of Torture: The Assault on Justice in Egypt's Crackdown of Homosexual Conduct*, from 2004, Human Rights Watch “documents the [Egyptian] government’s increasing repression of men who have sex with men”. Among its significant findings, the report notes that the infamous “Queen Boat” case “was only the most visible point in the ongoing and expanding crackdown” of homosexual conduct in Egypt (‘Egypt: Crackdown of Homosexual Conduct Exposes Torture Crisis’ 2004, Human Rights Watch website, 1 March <http://hrw.org/reports/2004/egypt0304/> - Accessed 10 October 2005 – Attachment 2). Excerpts from the report’s “Summary” follow in detail:

Egypt is carrying out a crackdown. The professed motive is cultural authenticity coupled with moral hygiene. The means include entrapment, police harassment, and torture. The agents range from government ministers to phalanxes of police informers fanning out across Cairo. The victims are men suspected of having sex with men. The violence is aimed not only at their loves but at their lives.

Since early 2001, a growing number of men have been arrested, prosecuted, and convicted for having sexual relations with other men. Human Rights Watch knows the names of 179 men

whose cases under the law against “debauchery” were brought before prosecutors since the beginning of 2001; in all probability that is only a minuscule percentage of the true total. Hundreds of others have been harassed, arrested, often tortured, but not charged.

More than men who have sex with men are among the crackdown’s victims, however. Its effects reach beyond the broken bodies, wrecked families, and ruined lives lying in its immediate trail. The offense against the marginalized potentially endangers everyone; the offensive against privacy corrupts the principles of public life. Every Egyptian’s dignity and integrity are under threat in a time of torture, when the law accepts violence as investigation and stigma as certainty.

The severity of the brutality inflicted indicates the crackdown’s intensity. Police routinely torture men suspected of homosexual conduct, sometimes to extract confessions and sometimes simply as a sadistic reminder of the burden of shame their alleged behavior incurs. Men have told Human Rights Watch how they were whipped, beaten, bound and suspended in painful positions, splashed with ice-cold water, and burned with lit cigarettes. Men taken during mass roundups may be tortured with electroshock on the limbs, genitals, or tongue. Guards encourage other prisoners to rape suspected homosexuals.

Psychological torment complements the physical trauma. One man, showing the scars of excruciating torture on his limbs, said: “I want to scream. I want to cry. I can't let it out.” Egypt enlists medicine to join the maltreatment. Men arrested for homosexual conduct are forcibly subjected to anal examinations at the hands of the Forensic Medical Authority, an agency of the Ministry of Justice. Doctors compel the men to strip and kneel; they massage, dilate, and in some cases penetrate the prisoners’ anal cavities in search of signs that they have been “habitually used” in “sodomy.” Invasive, abusive, and a form of torture in itself, the practice is predicated on outdated pseudoscience, on myths—of the “marks” left by anal intercourse—which date back nearly a century and a half. Yet doctors continue to invent means of investigating prisoners' anuses, boasting to Human Rights Watch of “new methods” employing electricity.

May 2001 saw the best-known case in the crackdown begin: fifty-two men ultimately went to trial, many arrested during a police raid on a Cairo discotheque, the “Queen Boat,” frequented by gay men. The proceedings, less judicial exercise than extravaganza, accused the men—most of whom did not even know each other until their jailing—not just of dissident desires but of participating in a blasphemous conspiracy. Sensational headlines savaging them as “Satan-worshippers” and “sexual perverts” filled the papers for months. They spread a new image of homosexual conduct: no longer a private matter but a menace to public safety, the code of a cult eroding moral values, a subversive network threatening state security.

The hysteria made the “Queen Boat” case the most public episode in the campaign, and it indeed comprised a watershed in some ways. Before the headlines, Cairo had the tentative beginnings of a community of men who desired other men—people who perceived a commonality among one another, and sometimes (though not always) described themselves as “gay.” A few pubs and meeting-places, circles of friends who shared stories and talked about the meanings of their desires—these were the substance of that incipient solidarity, which remained largely invisible to others, and neither challenged any authority nor impinged perceptibly on the public sphere. The scandal and scare tactics around the trial, the paranoia the press evoked, shut that inchoate community down. Friendships died and solitude set in.

Yet the Queen Boat trial, for all its consequences, marked neither commencement nor climax of the crackdown. Even before the bar raid, agents of the Vice Squad (a morals police within the Ministry of Interior’s national police force, with divisions in each jurisdiction) had started surveillance of the Internet, answering personals advertisements placed by men seeking men, arranging meetings with them, and arresting them. Internet entrapment has expanded till by

early 2003 it appeared to reach a rate of at least one arrest a week. It both builds on and reinforces the growing fragmentation of friendships and atomization of trust. Warnings of danger, words of caution, no longer move through shattered circles of increasingly suspicious men. Having closed down places where community could be affirmed and communication could happen, police are now in position to pick off men one by one.

In other cases, police in Cairo and elsewhere have raided private apartments, or wiretapped phones to collect and arrest contacts, or used “trusted secret sources” to finger men suspected of homosexual conduct. Vice Squads maintain lists of homosexuals; massive roundups may follow if a gay man is murdered, with dozens or even hundreds arbitrarily detained. The victims are interrogated and tortured, sometimes for weeks. An extensive network of informers supports the crackdown, feeding names and information to avid authorities. One Vice Squad officer in the Giza section of greater Cairo has informers invite guests to parties, then hand them over to the police: Human Rights Watch has documented twenty-three arrests accomplished by that officer alone.

Egypt’s government has publicly claimed that the surveillance and suppression of homosexual conduct defend its cultural values, its “unique norms and evolving practices.” Yet torture and entrapment, the key tools of the campaign, are not defensible norms or values. They insult the dignity and integrity of the human being. They break the bonds of trust that culture and religion protect.

Not cultural inheritance but an ineptly written law underlies the crackdown. Egyptian officials have deceptively claimed that the country codifies “no distinction or discrimination based on a person’s sexual orientation.” In fact, as Human Rights Watch shows in this report, legislation originally meant to penalize prostitution swelled, during its drafting, into a sweeping instrument punishing “promiscuity” in general. The law is now clearly understood to criminalize consensual, non-commercial homosexual conduct, under the name of “debauchery” (*fujur*)—in provisions which work comparably to so-called “sodomy laws” in other jurisdictions. A growing roster of states rejects such laws as intolerable assaults on privacy and equality, and as breaches of international human rights protections (Human Rights Watch 2004, *In a Times of Torture: The Assault on Justice in Egypt’s Crackdown of Homosexual Conduct*, Human Rights Watch website <http://hrw.org/reports/2004/egypt0304/> - Accessed 10 October 2005 – Attachment 3)

The latest US Department of State report on human rights practices for 2004 also indicates that homosexuals continued to face mistreatment in Egypt. The Department’s report for Egypt notes that “[p]olice continued to arrest and detain homosexuals” and that “[i]ndividuals suspected of homosexual activity and arrested on ‘debauchery’ charges regularly reported being subjected to humiliation and abuse while in custody”. However, the report also notes that “there were no reports of widescale [*sic*] internet entrapment of homosexuals” in 2004 (US Department of State 2005, *Egypt: Country Reports on Human Rights Practices for 2004*, 28 February – Attachment 4).

The Gay Middle East website provides the following translation of an Arabic news report, dated 25 February 2004, which reports an instance where internet entrapment did occur in 2004:

A seventeen years old private university student received a 17 years sentence in prison including 2 years hard labor, for posting a personal profile on a gay dating site. The Student was arrested outside the American University in Midan Al Tahrir (Liberation Plaza) in Cairo yesterday. He is accused of “offences” to the public good, the honor of society, and a contempt to moral principles and social tradition. The sentence was issued by the Jahah court in Cairo by A’laa Deen Shoja’a under the supervision of heads of court Rida Shazzli and

Mohamed Moheb ('Egyptian Teenager Sentenced for Gay Internet Posting' 2004, Gay Middle East website, sourced from *El Akhbar*, 25 February <http://www.gaymiddleeast.com/country/egypt> - Accessed 11 October 2005 – Attachment 5).

A recent media report cites the Egyptian Organization for Human Rights, which “says homosexuality is so detested in Egypt that it cannot speak out against prosecutions of gays”. The report also notes that news of an alleged “gay wedding party in Cairo...triggered hundreds of blistering messages” on the website of Al\_Arabiya TV (Abu-Nasr, D. 2005, ‘Despite the dangers, more gay Arabs cautiously step out/In the Mideast, homosexuality is widely seen as a disease spread by the U.S. and Israel’, *The Houston Chronicle*, sourced from the *Associated Press*, 9 October – Attachment 6).

An earlier report from November 2003 is included. Among other things, it reports that homosexuality is popularly viewed “as an immoral export from the West” and that “homosexuality is almost universally despised”. As the author states:

The idea that homosexuality is a perversion seeping in from the faithless West is a constant theme. The defendants in the Queen Boat trials had “imported European ideas,” claimed several newspapers. “Be a Sexual Pervert and Uncle Sam Will Approve,” declared a government-backed newspaper when these trials were condemned by a group of American congressmen.

In Egypt, surrounded by loathing and living lies, gay men often sink into a profound self-hatred.

Mustafa, an apparently jovial, confident gay man, suddenly asked me in the middle of an interview, “are you going to think less of me because I’m gay?” I assured him I wouldn't. “I don’t like being despised,” he said, looking down glumly.

For gay men in Egypt, there is no shelter even within their own families. A homosexual son is a black stain on family honour, and few families will tolerate, let alone accept, a gay child. So gay men keep quiet even at home (Gardner, D. 2003, ‘Tortured for being gay: Persecution amid the pyramids: In Egypt, country that views homosexuality as an immoral export from the West, being gay is a ticket to police harassment and torture’, *Edmonton Journal*, 30 November – Attachment 7).

Reports that homosexuals have been pushed further underground may explain why there have not been any reports detailing the recent mistreatment or abuse of homosexuals in Egypt. As noted by the foregoing news report:

...gay Egyptians know they are being hunted like never before. “We used to be able to go out any time. But now we can’t leave our houses,” one gay man told me in Cairo. “They’re always watching us”. It could be a blackmailer. It could be a robber. It could be the police. It could be an informer picking them out on the street. It could be a friend phoning to lure them into a sting. Or the new guy in the internet chat room who is really a vice squad officer (Gardner, D. 2003, ‘Tortured for being gay: Persecution amid the pyramids: In Egypt, country that views homosexuality as an immoral export from the West, being gay is a ticket to police harassment and torture’, *Edmonton Journal*, 30 November – Attachment 7).

As reported by the *Pittsburgh Post-Gazette* on 14 March 2005:

The Queen Boat incident began what many see as a crackdown on homosexuality,

heightening gay people's distrust of the government and driving them even further into hiding.

So now that the government is offering anonymous HIV testing for the first time, many gays are understandably wary.

Some suspect that if they get tested for the infection, they could be identified publicly as gay, which could lead to imprisonment regardless of their HIV status.

"It's not anonymous [testing], don't believe that," warned one gay Egyptian who asked not to be named. "The first thing they do is call the cops"...

Rumors of HIV-positive gay men disappearing add to the fear ('Egypt's fearful gays shy from HIV testing' 2005, *Pittsburgh Post-Gazette* online edition, 14 March

<http://www.post-gazette.com/pg/05073/471102.stm> - Accessed 11 October 2005 – Attachment 8).

## **2 Anything else you feel might be relevant.**

Commentators have indicated that the Egyptian government's crackdown on homosexuality unfolded in a domestic context of growing Islamic extremism and economic recession. In comments approved by Human Rights Watch, Hossam Bahgat stated in 2003 that the government's crackdown on homosexuality was timed

not just "to divert public attention from economic recession and the government's liquidity crisis," but "to present an image as the guardian of public virtue, to deflate an Islamist opposition movement that appear[ed] to be gaining support every day ('Explaining Egypt's Targeting of Gays' 2001, *Middle East Report Online*, 23 July

<http://www.merip.org/mero/mero072301.html> - Accessed 14 April 2003 – Attachment 9;

Human Rights Watch 2004, *In a Times of Torture: The Assault on Justice in Egypt's Crackdown of Homosexual Conduct*, Human Rights Watch website

<http://hrw.org/reports/2004/egypt0304/> - Accessed 10 October 2005 – Attachment 3)

The following report on Egyptian and Arab reactions to the Abu Ghraib affair is interesting for its commentary on attitudes toward homosexuality:

CAIRO, Egypt — As political cartoon or a metaphor for the U.S. role in the Middle East, the image of an Arab man naked on the floor and tethered by a leash held by a female American soldier would sting.

But photographs of that scene and others, taken at a U.S. Army-run prison in Iraq, have deeply disturbed Arabs of all social, religious and political temperaments.

"I wonder what their definition is of civilization," said Yasmine Hagry, a college student left audibly upset after reviewing the pictures Thursday at the American University in Cairo.

If the prisoners had simply been beaten or subjected to the types of physical torture thought to be common in Arab jails, the reaction might have been less severe and the inmates would have been left with some dignity intact, said Sarah Sirgany, a writer with the youth-oriented *Carnival* monthly.

But by stripping the prisoners naked and posing them in ways designed to insinuate homosexual behavior, the American guards at Abu Ghraib violated some of the oldest and most deeply held prohibitions in the Arab world (Schneider, H. 2004, 'For Arabs, sexual taboos are worst part of photos', *The Washington Post*, 9 May – Attachment 10).

The worsening situation for homosexuals in Egypt may reflect what journalist Lisa Anderson describes as Egypt's "conservative Islamic resurgence". As she notes in her report for *The Chicago Tribune*:

With her long, dark tumble of glossy hair, sensuous lips and provocative stare, Hala Shiha reigns as "the Aphrodite of the Egyptian cinema"...

Shiha's embrace of the veil, a rising phenomenon among Egyptian women, is the most visible symbol of a conservative Islamic resurgence that is sweeping across Egypt. But it is not the only one.

During the past 30 years, a conservative Islamic revival has been quietly transforming the nation's culture and society, forcing Egyptians and their political leaders to engage in an increasingly difficult balancing act between mosque and state.

The result is a nation that daily is becoming less secular...

The shift away from the moderate style of Islam long practiced in Egypt is pronounced, according to Nagwa Shoeb, director of public relations at the liberal American University in Cairo...

Egyptian men point with pride to the zabibas on their foreheads--large, bruise-colored calluses raised by the constant thumping of the forehead to the floor in prayer.

Audiences at movie theaters rise in protest against films that offend increasingly conservative Islamic sensibilities.

On the airwaves, a new, flashier brand of media-savvy preacher woos young Muslims away from decadent Western ways, emphasizing praying over partying.

Government censors, sometimes at the behest of students, yank books from college curricula for containing what they consider offensive depictions of sex, religion or the Egyptian state.

In some countries, such as Iran and Saudi Arabia, the practice of Islam is imposed from above.

But in Egypt, the move toward a more conservative Islam is bubbling up from a population frustrated by decades of ineffective leadership, recurring humiliation of Arabs at the hands of Israel and the West, rampant corruption and heavy-handed suppression of dissent.

Having tried everything from Pan-Arabism to socialism, many Egyptians, rich and poor, see a return to Islam as a way to restore hope, peace and dignity to their lives. Threatened by a changing world, rife with Western influences, they perceive Islam as a comforting source of strong family values, an unyielding moral code and a clear guide to life...

Around midday on Friday, the Muslim holy day, the relentless cacophony that is Cairo drops an octave. Suddenly, loudspeakers from mosques blare so many sermons into the dusty streets that the city seems to become one vast, unavoidable, open-air service.

Never, Cairenes say, have Friday prayers been so well attended, affirmed by the weekly scene at Al-Hussein Mosque in the heart of what is called Islamic Cairo...

(Anderson, L. 2004, 'Egypt's cultural shift reflects Islam's pull; Masses find solace in conservatism', *The Chicago Tribune*, 21 March – Attachment 11).

## List of Sources Consulted

### Internet Sources:

Google search engine

UNHCR            *REFWORLD*            UNHCR Refugee Information Online

### Databases:

Public            *FACTIVA*            Reuters Business Briefing  
DIMIA            *BACIS*            Country Information

RRT	<i>REFINFO</i> <i>ISYS</i>	IRBDC Research Responses (Canada) RRT Country Research database, including Amnesty International, Human Rights Watch, US Department of State <i>Country Reports on Human Rights Practices</i> .
RRT Library	<i>FIRST</i>	RRT Library Catalogue

## List of Attachments

1. RRT Country Research 2003, *Research Response EGY15872*, 24 April.
2. 'Egypt: Crackdown of Homosexual Conduct Exposes Torture Crisis' 2004, Human Rights Watch website, 1 March. (<http://hrw.org/reports/2004/egypt0304/> - Accessed 10 October 2005)
3. Human Rights Watch 2004, *In a Times of Torture: The Assault on Justice in Egypt's Crackdown of Homosexual Conduct*, Human Rights Watch website. (<http://hrw.org/reports/2004/egypt0304/> - Accessed 10 October 2005)
4. US Department of State 2005, *Egypt: Country Reports on Human Rights Practices for 2004*, 28 February.
5. 'Egyptian Teenager Sentenced for Gay Internet Posting' 2004, Gay Middle East website, sourced from *El Akhbar*, 25 February. (<http://www.gaymiddleeast.com/country/egypt> - Accessed 11 October 2005)
6. Abu-Nasr, D. 2005, 'Despite the dangers, more gay Arabs cautiously step out/In the Mideast, homosexuality is widely seen as a disease spread by the U.S. and Israel', *The Houston Chronicle*, sourced from the *Associated Press*, 9 October. (FACTIVA)
7. Gardner, D. 2003, 'Tortured for being gay: Persecution amid the pyramids: In Egypt, country that views homosexuality as an immoral export from the West, being gay is a ticket to police harassment and torture', *Edmonton Journal*, 30 November. (FACTIVA)
8. 'Egypt's fearful gays shy from HIV testing' 2005, *Pittsburgh Post-Gazette* online edition, 14 March. (<http://www.post-gazette.com/pg/05073/471102.stm> - Accessed 11 October 2005)
9. 'Explaining Egypt's Targeting of Gays' 2001, *Middle East Report Online*, 23 July. (<http://www.merip.org/mero/mero072301.html> - Accessed 14 April 2003)
10. Schneider, H. 2004, 'For Arabs, sexual taboos are worst part of photos', *The Washington Post*, 9 May. (FACTIVA)
11. Anderson, L. 2004, 'Egypt's cultural shift reflects Islam's pull; Masses find solace in conservatism', *The Chicago Tribune*, 21 March. (FACTIVA)